

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Ganesan et al. : NEW APPLICATION
Rule 53(b) Continuation of :
Serial No: 09/749,596, filed :
December 28, 2000 :
Filed: Concurrently Herewith :
For: TECHNIQUE FOR ELECTRONIC FUNDS ESCROW

PRELIMINARY AMENDMENT

Honorable Assistant
Commissioner
for Patents
Washington, DC 20231

Sir:

This preliminary amendment is directed to the above-referenced application. Prior to examination, please amend the application as follows:

IN THE TITLE

Please amend the title to read "Technique for Debit And Credit Triggering".

IN THE CLAIMS

Please cancel claim 1.

Please add the following claims:

-- 53. A method for making a payment, comprising:

receiving, via a network, a request to execute a payment on behalf of a payer, the request including information identifying the payer, information identifying a payee, and an amount of the payment;

selecting a triggering event from a plurality of triggering events, based on the received request; and

releasing funds in the amount of the payment after occurrence of the selected triggering event.

54. The method of claim 53, wherein the plurality of triggering events includes (1) receipt of a signal, representing a funds release authorization, and (2) lapsing of a time period.

55. The method of claim 54, wherein the signal is received via the network.

56. The method of claim 55, further comprising:

transmitting a request via the network for the funds release authorization;

wherein the signal is received via the network responsive to the transmitted request.

57. The method of claim 53, wherein:

the plurality of triggering events includes (1) receipt of a signal from the payer, (2) receipt of a signal from the payee, (3) receipt of a signal from a party other than the payer or the payee, (4) receipt of one signal from the payer and receipt of another signal from the payee, (5) receipt of one signal from the payer and receipt of another signal from a party other than the payee or the payer, (6) receipt of one signal from the payee

and receipt of another signal from a party other than the payer or the payee, (7) receipt of one signal from the payee, receipt of another signal from the payer, and receipt of yet another signal from a party other than the payer or the payee, (8) lapsing of a time period beginning upon receipt of a signal from the payer, (9) lapsing of a time period beginning upon receipt of a signal from the payee, (10) lapsing of a time period beginning upon receipt of a signal from a party other than the payer or the payee, (11) lapsing of a time period beginning upon receipt of all of a plurality of signals, and (12) lapsing of a time period beginning upon initiation of a debit from an account associated with the payer; and

each received signal represents a funds release authorization.

58. The method of claim 53, further comprising:

securing funds from an account associated with the payer;
wherein funds from the payer account are secured at one of (1) a time prior to the occurrence of the selected triggering event, or (2) a time subsequent to the occurrence of the selected triggering event.

59. The method of claim 53, wherein the selected triggering event is a first selected triggering event, further comprising:

selecting one or more additional triggering events from the plurality of triggering events; and

releasing funds after the occurrence of one of (1) all of the first selected triggering event and the one or more additional selected triggering events, or (2) the first to occur of the first selected triggering event and the one or more additional selected triggering events.

60. The method of claim 53, wherein:

the request also includes information identifying a type of payment; and

the triggering event is selected on the basis of at least one of (1) the identity of the payer, (2) the identity of the payee, (3) the identity of a party other than the payer or the payee, (4) a type of payment, and (5) the amount of the payment.

61. A method for making a payment, comprising:

receiving, via a network, a request to execute a payment on behalf of a payer to a payee in an amount;

processing the received request to select a mode of operation;

if a first mode is selected, releasing funds after receipt, via the network, of a notice from the payer;

if a second mode is selected, releasing funds after receipt, via the network, of a notice from the payee;

if a third mode is selected, releasing funds after receipt of a notice, via the network, from a party other than the payer or the payee;

if a fourth mode is selected, releasing funds after receipt of each of a plurality of notices; and

if a fifth mode is selected, releasing funds after the lapsing of a time period.

62. A system for making a payment, comprising:

a communications port configured to receive and to transmit information via a network;

a memory configured to store a plurality of triggering events and at least one indication of a selected triggering event; and

a processor in communication with the communications port and the memory and configured to (1) receive, via the communications port, a request to execute a payment on behalf of a payer, the request including information identifying the payer and information identifying a payee, and an amount of the payment, (2) process the received request to select a triggering event from the plurality of triggering events stored in the memory, (3) store an indication in the memory of the selected

triggering event, and (4) cause funds to be released in the amount of the payment after occurrence of the selected triggering event.

63. The system of claim 62, wherein the stored plurality of triggering events includes (1) receipt of a signal representing a funds release authorization, and (2) lapsing of a time period.

64. The system of claim 63, wherein the signal is received via the communications port.

65. The system of claim 64, wherein:

the processor is further configured to cause a request to be transmitted, via the network, for receipt of the funds release authorization; and

the signal is received responsive to the transmitted request.

66. The system of claim 62, wherein:

the stored plurality of triggering events includes (1) receipt of a signal from the payer, (2) receipt of a signal from the payee, (3) receipt of a signal from a party other than the payer or the payee, (4) receipt of one signal from the payer and receipt of another signal from the payee, (5) receipt of one signal from the payer and receipt of another signal from a party other than the payee or the payer, (6) receipt of one signal from the payee and receipt of another signal from a party other than the payer or the payee, (7) receipt of one signal from the payee, receipt of another signal from the payer, and receipt of another signal from a party other than the payer or the payee, (8) lapsing of a time period beginning upon receipt of a signal from the payer, (9) lapsing of a time period beginning upon receipt of a signal from the payee, (10) lapsing of a time period beginning upon receipt of a signal from a party other than the payer or the payee, (11) lapsing of a time period beginning upon receipt of all of a plurality of signals, and 12)

lapsing of a time period beginning upon initiation of a debit from an account associated with the payer; and

each received signal represents a funds release authorization.

67. The system of claim 62, wherein:

the processor is further configured to secure funds from an account associated with the payer; and

funds from the payer account are secured at one of (1) a time prior to the occurrence of the selected triggering event, or (2) a time subsequent to the occurrence of the selected triggering event.

68. The system of claim 62, wherein:

the selected triggering event is a first selected triggering event; and

the processor is further configured to (1) select one or more additional triggering events from the plurality of stored triggering events, (2) store an indication of the selected one or more additional triggering events in the memory, and (3) cause funds to be released after the occurrence of one of (a) all the first selected triggering event and the one or more additional selected triggering events, or (b) the first to occur of the first selected triggering event and the one or more additional selected triggering events.

69. The system of claim 62, wherein:

the request also includes information identifying a type of payment; and

the processor is further configured to select the triggering event on the basis of at least one of (1) the identity of the payer, (2) the identity of the payee, (3) the identity of a party other than the payer or the payee, (4) a type of payment, and (5) the amount of the payment.

70. A system for making a payment, comprising:

a communications port configured to receive and to transmit information via a network;

a memory configured to store an indication of a selected mode of operation; and

a processor in communication with the communications port and memory and configured to (1) receive, via the communications port, a request to execute a payment on behalf of a payer to a payee in an amount, (2) process the received request to select a mode of operation, (3) store an indication of the selected mode of operation in the memory, and (4) operate in the selected mode of operation;

wherein the processor is further configured to cause funds to be released after receipt, via the network, of a notice from the payer if a first mode is selected;

wherein the processor is further configured to cause funds to be released after receipt, via the network, of a notice from the payee if a second mode is selected;

wherein the processor is further configured to cause funds to be released after receipt, via the network, of a notice from a party other than the payee or the payer if a third mode is selected;

wherein the processor is further configured to cause funds to be released after receipt, via the network, of each of a plurality of notices if a fourth mode is selected; and

wherein the processor is further configured to cause funds to be released after the lapsing of a time period if a fifth mode is selected.

71. An article of manufacture for making a payment, comprising:

a computer readable medium; and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive, via a network, a request to execute a payment on behalf of a payer, the request including information identifying

the payer, information identifying a payee, and an amount of the payment;

select a triggering event from a plurality of triggering events, based upon the received request; and

cause funds to be released in the amount of the payment after the occurrence of the selected triggering event.

72. An article of manufacture for making a payment, comprising:

a computer readable medium; and

computer programming stored on the medium;

wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive, via a network, a request to execute a payment on behalf of a payer to a payee in an amount;

process the received request to select a mode of operation;

if a first mode is selected, cause funds to be released after receipt, via the network, of a notice from the payer;

if a second mode is selected, cause funds to be released after receipt, via the network, of a notice from the payee;

if a third mode is selected, cause funds to be released after receipt of a notice, via the network, from a party other than the payer or the payee;

if a fourth mode is selected, cause funds to be released after receipt of each of a plurality of notices, via the network; and

if a fifth mode is selected, cause funds to be released after the lapsing of a time period.--

IN THE ABSTRACT

Please delete the abstract in its entirety and substitute therefor the abstract attached hereto on a separate sheet.

REMARKS

This preliminary amendment is submitted simultaneous with the filing of a 37 CFR 1.53(b) continuation application on pending Application Serial No. 09/749,596, filed December 28, 2000.

The title and abstract have been amended to better reflect the invention to which the present application is directed.

As originally filed, the application included claims 1-52. Claims 2-52 have been canceled in the filing request for the present continuation application. Claim 1 is cancelled and new claims 53-72 are added by this preliminary amendment.

The new claims are directed to timing and determination of funds movement in electronic transactions. No new matter is added.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 12-0429 and please credit any excess fees to such deposit account.

Respectfully submitted,
LALOS & KEEGAN



Alfred A. Stadnicki
Registration No. 30,226

AAS/led
1146 Nineteenth Street, N.W.
Fifth Floor
Washington, D.C. 20036-3703
Telephone: 202-887-5555
Facsimile: 202-296-1682
DATE: May 8, 2001

RECEIVED
MAY 10 2001
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

ABSTRACT OF THE DISCLOSURE
Technique For Debit And Credit Triggering

The present invention provides a technique for making a payment. A request to make a payment on behalf of a payer is received over a network. The request identifies the payer, a payee, and an amount. A triggering event is selected from a group of triggering events. The selection is based upon the request. After the triggering event takes place, funds in the amount of the payment are released. The releasing of the funds is dependent upon the happening of the triggering event.